

EXHIBIT 18

BARTLEY F. LIVOLSKI
AMY BARTOLETTI vs CITIGROUP INC.

August 28, 2012
13-16

<p>1 B. F. LIVOLSKI</p> <p>2 A. I was probably told by Frank Chin.</p> <p>3 Q. Do you know when you were told by</p> <p>4 Frank Chin?</p> <p>5 MR. BATTAGLIA: Objection. You</p> <p>6 may answer.</p> <p>7 A. I don't recall.</p> <p>8 Q. Was there a reduction in force in</p> <p>9 June of 2008?</p> <p>10 A. I don't recall.</p> <p>11 Q. Do you know if there was a</p> <p>12 reduction in force in December '07 or</p> <p>13 January 2008?</p> <p>14 A. May have been, but I don't recall</p> <p>15 for sure.</p> <p>16 Q. What was your role in the</p> <p>17 November 2008 RIF?</p> <p>18 MR. BATTAGLIA: Objection. You</p> <p>19 may answer.</p> <p>20 A. I was as a senior person who was</p> <p>21 manager of the regional operations for Smith</p> <p>22 Barney public finance. I was involved in</p> <p>23 discussions with my direct reports as to their</p> <p>24 personnel.</p> <p>25 Q. And who would be your direct</p>	<p>Page 13</p> <p>1 B. F. LIVOLSKI</p> <p>2 A. No.</p> <p>3 Q. Did you speak to them one-on-one?</p> <p>4 A. In reference to what?</p> <p>5 Q. In reference to the November 2008</p> <p>6 RIF.</p> <p>7 A. One-on-one.</p> <p>8 Q. And did you speak to everyone over</p> <p>9 the phone?</p> <p>10 A. To my recollection.</p> <p>11 Q. Do you recall speaking to anyone</p> <p>12 in person?</p> <p>13 A. No, I don't recall that.</p> <p>14 Q. Why did you need to speak to your</p> <p>15 direct reports regarding personnel?</p> <p>16 A. By definition a RIF means</p> <p>17 reduction in force, and the objective was to</p> <p>18 determine who within each person's</p> <p>19 organization, region, could in fact be a</p> <p>20 candidate for a RIF.</p> <p>21 Q. Were you given any instructions</p> <p>22 from Frank Chin or David Brownstein about the</p> <p>23 RIF?</p> <p>24 A. I don't recall.</p> <p>25 Q. Do you recall being told to lay</p>	<p>Page 15</p>
<p>1 B. F. LIVOLSKI</p> <p>2 reports?</p> <p>3 A. There were a number of them in the</p> <p>4 regional area would have been Wally Nunn, Norm</p> <p>5 Pellegrini, Ray Noga, Tony Hughes, Ray</p> <p>6 Klijacic, Tom Coomes.</p> <p>7 And then with respect to my</p> <p>8 responsibilities as the head of the northeast</p> <p>9 region there were a number, including Tim</p> <p>10 Egan, Tom Egan, Dan Thompson, Kristen</p> <p>11 Johanson, Jay Bartlett, Bill Mulrow, I believe</p> <p>12 Ben Cooper, could be Shai Markowitz, I am not</p> <p>13 sure, Dan Kim, George Lum, John Gavin, John</p> <p>14 Malpiede.</p> <p>15 Q. What was that last name?</p> <p>16 A. John Malpiede. You could find him</p> <p>17 in the Boston office.</p> <p>18 Q. Can you just spell his last name</p> <p>19 for me, please.</p> <p>20 A. M-A-L-P-I-E-D-E.</p> <p>21 Q. How about Daniel Cohen?</p> <p>22 A. Dan Cohen.</p> <p>23 Q. When you spoke to your direct</p> <p>24 reports, did you speak to them all at the same</p> <p>25 time?</p>	<p>Page 14</p> <p>1 B. F. LIVOLSKI</p> <p>2 off a certain number of people?</p> <p>3 A. I don't recall. I mean, I recall</p> <p>4 that there was a certain number of people, but</p> <p>5 I don't recall what the number was.</p> <p>6 Q. And were you told to lay off a</p> <p>7 certain number of people?</p> <p>8 A. I don't remember that.</p> <p>9 Q. So how do you recall that there</p> <p>10 was a certain number of people?</p> <p>11 A. Well, it didn't necessarily mean</p> <p>12 that they were all coming from my areas.</p> <p>13 Q. Okay. Do you recall how many</p> <p>14 people were supposed to be laid off from your</p> <p>15 area?</p> <p>16 A. I don't recall.</p> <p>17 Q. And were you told that you had to</p> <p>18 reduce a certain number of compensation?</p> <p>19 MR. BATTAGLIA: Objection.</p> <p>20 Q. Let me ask it again. Let me ask</p> <p>21 it a different way. Were you told that you</p> <p>22 had to reduce your region's budget by a</p> <p>23 certain amount of money?</p> <p>24 A. I don't recall specifically being</p> <p>25 told that, but having experienced RIFs before,</p>	<p>Page 16</p>

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<p>1 B. F. LIVOLSKI</p> <p>2 you saw?</p> <p>3 A. Could I repeat them now, could I</p> <p>4 tell you what they were, no. I mean, maybe if</p> <p>5 you reminded me or showed me something, I</p> <p>6 might be able to remember that.</p> <p>7 Q. Were you a sender or recipient of</p> <p>8 any of these e-mails?</p> <p>9 A. Mostly a recipient, occasionally a</p> <p>10 sender.</p> <p>11 Q. I believe you testified that you</p> <p>12 had at least one discussion with Norm</p> <p>13 Pellegrini about the November 2008 RIF; is</p> <p>14 that correct?</p> <p>15 A. Yes.</p> <p>16 Q. Did you have more than one</p> <p>17 conversation with Mr. Pellegrini about the</p> <p>18 RIF?</p> <p>19 A. Probably.</p> <p>20 Q. Do you know how many?</p> <p>21 A. I don't.</p> <p>22 Q. Do you know if these conversations</p> <p>23 were face to face?</p> <p>24 A. I don't recall.</p> <p>25 Q. Do you recall if it was over the</p>	<p>Page 25</p> <p>1 B. F. LIVOLSKI</p> <p>2 Q. Do you know if he discussed every</p> <p>3 single person that worked for him?</p> <p>4 A. I would believe we did.</p> <p>5 Q. So everyone in his group was</p> <p>6 considered for layoff?</p> <p>7 A. Yes.</p> <p>8 Q. And how did you know how many</p> <p>9 people to identify as a candidate for a</p> <p>10 layoff?</p> <p>11 MR. BATTAGLIA: Objection. You</p> <p>12 can answer.</p> <p>13 A. Can you be a little more specific?</p> <p>14 Q. Sure. When you were talking to</p> <p>15 Mr. Pellegrini about candidates for layoff,</p> <p>16 how did you -- let me back up. How many</p> <p>17 people were laid off from Mr. Pellegrini's</p> <p>18 group in connection with the November 2008</p> <p>19 RIF?</p> <p>20 A. Two.</p> <p>21 Q. Do you know who they were?</p> <p>22 A. Nadine Mentor and Brent Wilder.</p> <p>23 Q. Were those two people that you and</p> <p>24 Mr. Pellegrini identified as candidates?</p> <p>25 A. We talked about them, yes. They</p>
<p>1 B. F. LIVOLSKI</p> <p>2 phone?</p> <p>3 A. Probably.</p> <p>4 Q. And do you recall what you</p> <p>5 discussed with Mr. Pellegrini the first time</p> <p>6 you spoke?</p> <p>7 A. No.</p> <p>8 Q. Do you recall what you discussed</p> <p>9 with Mr. Pellegrini the second time you spoke?</p> <p>10 A. Obviously we talked about his</p> <p>11 personnel.</p> <p>12 Q. And what specifically did you talk</p> <p>13 about?</p> <p>14 A. I don't recall.</p> <p>15 Q. Did you talk about which people</p> <p>16 should be laid off?</p> <p>17 A. We talked about all of its people.</p> <p>18 Q. For what purpose?</p> <p>19 A. To discuss and decide on who might</p> <p>20 be a candidate to be laid off.</p> <p>21 Q. Do you recall discussing names of</p> <p>22 people?</p> <p>23 A. I don't recall, but I am sure we</p> <p>24 discussed each and every individual that works</p> <p>25 for him.</p>	<p>Page 26</p> <p>1 B. F. LIVOLSKI</p> <p>2 were identified.</p> <p>3 Q. Why did you identify only two --</p> <p>4 did you identify anymore than these two</p> <p>5 people?</p> <p>6 A. Everyone was discussed.</p> <p>7 Q. And why did you identify these two</p> <p>8 as opposed to three or as opposed to one?</p> <p>9 A. We identified those that we</p> <p>10 thought that were weakest candidates and most</p> <p>11 susceptible to being let go.</p> <p>12 Q. I guess what I am trying to get at</p> <p>13 is, why did you identify two people as opposed</p> <p>14 to one person?</p> <p>15 A. I didn't --</p> <p>16 MR. BATTAGLIA: Objection. You</p> <p>17 may answer.</p> <p>18 A. I didn't say we identified -- we</p> <p>19 identified two people, but that was not the</p> <p>20 intention or the instruction. We weren't</p> <p>21 instructed to identify two people, one person,</p> <p>22 six people.</p> <p>23 Q. What was the instruction?</p> <p>24 A. When we do a RIF, we -- the way I</p> <p>25 do a RIF, is we look at the entire department</p>

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<p>1 B. F. LIVOLSKI 2 and you try to get the weakest candidates. It 3 doesn't -- it is not geographic, it is not 4 from within any specific region. You are not 5 assigned that there is one from here and one 6 from there. It is the weakest candidates 7 within the organization.</p> <p>8 Q. So was everybody in all the 9 regions fair game?</p> <p>10 A. Absolutely.</p> <p>11 Q. So you didn't have to pick any 12 people, for example, from the southeast 13 region, right?</p> <p>14 A. I didn't have to pick anybody from 15 any region.</p> <p>16 Q. Did Frank Chin instruct to you to 17 identify candidates for layoff from any of 18 your regions?</p> <p>19 A. I don't recall that.</p> <p>20 Q. But Frank Chin did ask you to 21 identify people?</p> <p>22 A. When we talk about identifying 23 people, it is throughout the entire public 24 finance department.</p> <p>25 Q. By you are responsible for the</p>	<p>Page 29</p> <p>1 B. F. LIVOLSKI 2 determination based on performance, potential, 3 client base, depth of relationships, banking 4 skills.</p> <p>5 Q. Did you conduct this review on 6 your own?</p> <p>7 A. I discussed --</p> <p>8 MR. BATTAGLIA: Objection. You 9 may answer. You may answer.</p> <p>10 A. I discussed that with each of my 11 regional managers.</p> <p>12 Q. For the southeast region you would 13 have had this discussion with Mr. Pellegrini, 14 correct?</p> <p>15 A. Correct.</p> <p>16 Q. And you identified, I guess, five 17 criteria. Were all five criteria discussed 18 with Mr. Pellegrini?</p> <p>19 A. I don't recall.</p> <p>20 Q. You don't recall if you discussed 21 these five criteria?</p> <p>22 A. I don't recall. Possibly.</p> <p>23 Q. Is it likely that you discussed it 24 since this was part of your review?</p> <p>25 A. Likely.</p>
<p>1 B. F. LIVOLSKI 2 regions, correct?</p> <p>3 A. And I would identify people that I 4 was responsible for or knew more about than 5 others.</p> <p>6 Q. So everyone in all the regions was 7 considered for layoff?</p> <p>8 A. Yes.</p> <p>9 Q. So for example, you could have in 10 theory laid off everyone from the western 11 region?</p> <p>12 A. Yes.</p> <p>13 MR. BATTAGLIA: Objection.</p> <p>14 Q. Did Frank Chin give you any 15 criteria to work with regarding who to select 16 for layoff?</p> <p>17 A. I don't recall.</p> <p>18 Q. Do you recall if anybody gave you 19 any criteria?</p> <p>20 A. No, I don't.</p> <p>21 Q. What criteria did you utilize in 22 determining the layoff?</p> <p>23 A. I did a review, my own review of 24 each and every person within the organization. 25 At least within my regions and made a</p>	<p>Page 30</p> <p>1 B. F. LIVOLSKI 2 Q. In connection with your review, 3 did you look at any documents?</p> <p>4 A. Any documents with Norm 5 Pellegrini?</p> <p>6 Q. Yes.</p> <p>7 A. Not that I recall.</p> <p>8 Q. How about your own?</p> <p>9 A. Not that I recall.</p> <p>10 Q. When you said you reviewed 11 people's performance, did you look at 12 everyone's performance evaluations?</p> <p>13 A. What do you mean by "evaluations"?</p> <p>14 Q. Performance appraisals.</p> <p>15 A. I don't recall if I did.</p> <p>16 Q. Were you familiar with the 17 performance of every individual that works in 18 your region?</p> <p>19 A. No.</p> <p>20 Q. So then did you use any document 21 to assist you in determining the performance 22 of people in your region?</p> <p>23 A. No.</p> <p>24 Q. How could you have made a 25 determination as to people's performance?</p>

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1	B. F. LIVOLSKI	1 B. F. LIVOLSKI
2	A. Because I know what everybody	2 MR. BATTAGLIA: Objection.
3	does.	3 A. I don't recall.
4	Q. You just testified that you	4 Q. Were you in a position to comment
5	weren't familiar with the performance of	5 on her performance on her 2007 evaluation?
6	everyone in your region.	6 MR. BATTAGLIA: Objection.
7	A. Excuse me?	7 A. I guess I could have.
8	Q. Didn't you just testify that you	8 Q. Based on what?
9	weren't familiar with the performance of	9 MR. BATTAGLIA: Objection.
10	everyone in your region?	10 A. As a head of the region, I could
11	A. I am familiar with each and	11 review anybody's review.
12	person's performance. Not on each and every	12 Q. What knowledge would you have
13	account, I know basically what their skills	13 about her performance?
14	are. I know what their potential is. I know,	14 A. It is --
15	through discussion with regional managers,	15 MR. BATTAGLIA: Objection. Asked
16	what he views or they view as their potential,	16 and answered. You may answer.
17	their capabilities. We discuss things like	17 THE WITNESS: Excuse me?
18	ramifications of losing a person, potential	18 MR. BATTAGLIA: You may answer.
19	for the future, all of those come into play.	19 A. I would know about her performance
20	I do not specifically recall	20 because of discussions of observations,
21	looking at someone's revenues or total client	21 discussions with regional manager, discussions
22	base or identified relationships. What we do	22 with people within my group in the northeast
23	with our organization is we are inclusive in	23 group.
24	our performance with people. People do not	24 And I would not only know about
25	work on their own, they work as a team.	25 some of the things, not all of the things she
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1	B. F. LIVOLSKI	1 B. F. LIVOLSKI
2	People contribute little bits of pieces, big	2 does of her, but of everyone within the
3	bits of pieces that all together creates,	3 regional operation.
4	hopefully, a successful result and successful	4 Q. So you don't have firsthand
5	environment.	5 knowledge of her performance, right?
6	We would be more inclusive than	6 MR. BATTAGLIA: Objection.
7	exclusive.	7 A. No.
8	Q. So you had no personal knowledge	8 Q. Is that true for everyone in the
9	of people's performance; is that correct?	9 group?
10	MR. BATTAGLIA: Objection.	10 MR. BATTAGLIA: Objection.
11	A. I don't -- personal knowledge, how	11 Q. All of the people that work in the
12	would you define that?	12 northeast region?
13	Q. Well, did you ever work on any	13 A. I can't say that for sure. I
14	transactions with Nadine Mentor?	14 might have worked on a deal with others in
15	A. No, not that I recall.	15 other regions, and then would have firsthand
16	Q. And do you recall the numerical	16 knowledge.
17	score she got in her 2007 performance	17 Q. So unless you have worked with the
18	evaluation?	18 person, you wouldn't really have firsthand
19	MR. BATTAGLIA: Objection.	19 knowledge of their performance, correct?
20	A. I don't recall.	20 MR. BATTAGLIA: Objection.
21	Q. Do you recall any of the comments	21 A. I would have firsthand knowledge
22	on her evaluation?	22 if I worked with them on a transaction in
23	A. I don't recall.	23 certain areas like technical skills.
24	Q. Did you comment about her	24 Q. You also testified that in
25	performance on her 2007 evaluation?	25 connection with the review you looked at the

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1 B. F. LIVOLSKI		1 B. F. LIVOLSKI
2 potential of a person.		2 have met the State Treasurer of Connecticut.
3 MR. BATTAGLIA: Objection.		3 Q. And did you speak with the State
4 Q. Is that correct?		4 Treasurer of Connecticut about Nadine's
5 A. Yes.		5 performance?
6 Q. And how did you gauge someone's		6 A. Not that I recall.
7 potential?		7 Q. Did you speak to the State
8 A. How they carried themselves, what		8 Treasurer of Connecticut about Nadine's
9 people perceive of them, what clients might		9 potential?
10 think of them, what bankers, senior bankers		10 A. No.
11 would think of them, what I know to be their		11 Q. Did you speak to the State
12 client base or potential client base, their		12 Treasurer of Connecticut about how they, he,
13 market territory. It is not an exact science.		13 she, perceived Nadine?
14 Q. And did you use any documents in		14 A. Not likely.
15 connection with your review of someone's		15 Q. I believe you testified that
16 potential?		16 Nadine worked on a client who was the State
17 A. No.		17 Treasurer of Connecticut?
18 Q. Did you speak to any clients about		18 A. Worked as part of a transaction
19 someone's potential?		19 team.
20 A. Not that I recall.		20 Q. And whose client was that?
21 Q. And did you --		21 A. I would identify that client as
22 A. Let me rephrase that. Are you		22 Kristen Johanson, who is the senior person in
23 saying Nadine's or are you saying any banker's		23 the overall relationship manager for the State
24 potential?		24 of Connecticut.
25 Q. Let's say Nadine's.		25 Q. Do you know if Nadine had any
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1 B. F. LIVOLSKI		1 B. F. LIVOLSKI
2 A. I don't recall that.		2 relationships with the State Treasurer of
3 Q. How about other bankers?		3 Connecticut?
4 A. Likely, but I can't say for sure.		4 A. My understanding through Kristen
5 Q. So you called up a client and		5 is that Nadine knew the state treasurer.
6 asked them how they perceive?		6 Q. Knew the state treasurer?
7 A. I may know the client.		7 A. Yes.
8 Q. And is that what you did?		8 Q. And what makes the state treasurer
9 MR. BATTAGLIA: Objection.		9 Kristen Johanson's client?
10 Q. You called the client to ask them		10 A. She has worked in that state for
11 how they perceived people that work for you?		11 many, many years long before anyone else in
12 MR. BATTAGLIA: Objection.		12 our organization. She has had in-depth
13 A. I can't say for sure that I called		13 knowledge of the accounts. She has worked
14 the client. I see clients and I may have had		14 with deputy state treasurers. She has worked
15 a face-to-face conversation. I may have		15 with legislatures. She has an extensive
16 called them, it may have been in passing. It		16 background and knowledge of the account.
17 would not have been intentional.		17 Q. Did you speak to Kristen Johanson
18 Q. Do you know any of Nadine Mentor's		18 about Nadine's performance?
19 clients?		19 A. I don't recall.
20 MR. BATTAGLIA: Objection.		20 Q. Did you speak to Kristen Johanson
21 A. I have met the -- let me rephrase		21 about Nadine's potential?
22 that.		22 A. I don't recall.
23 They weren't her clients. If you		23 Q. How about how she perceived
24 are asking did I know any of the clients where		24 Nadine?
25 she may have worked on deals, I know that I		25 A. I don't recall.

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1	B. F. LIVOLSKI	B. F. LIVOLSKI
2	Q. Is Kristen Johanson considered a senior banker?	Q. Why guy Logan?
3	A. Yes.	A. Guy Logan was a senior banker who
4	Q. Did you speak to any senior bankers about Nadine's performance?	4 knew a lot of folks. He may have been
5	MR. BATTAGLIA: Objection.	5 involved in the Virgin Islands transaction
6	A. Norm Pellegrini.	6 early on. I don't know exactly how he ended
7	Q. Anyone else?	7 up there.
8	A. No.	Q. You testified earlier that in
9	Q. Did you speak to any senior bankers about Nadine's potential?	connection with identifying candidates for
10	A. No, except for Norm Pellegrini, not that I recall.	10 layoff you reviewed a candidate's client base;
11	Q. Did Nadine have any clients at Citigroup?	11 is that correct?
12	MR. BATTAGLIA: Objection.	MR. BATTAGLIA: Objection.
13	A. Most people at Citigroup don't have clients. Citigroup has clients. She	A. I don't recall saying I reviewed a
14	along with others works on client transactions and for clients.	14 candidate's client base, but I had discussions
15	Q. Now do you know any of the clients that Nadine worked on other than the State	15 with each manager as to their bankers and
16	Treasurer of Connecticut?	16 their client base that they might in fact work
17	A. She worked on Virgin Islands. And	17 on.
18		Q. So clients that they worked on?
19		A. Yes.
20		Q. And who did you speak to about
21		21 Nadine's client base?
22		A. Norm Pellegrini.
23		Q. Anyone else?
24		A. Not that I recall.
25		Q. And you also testified that in
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1	B. F. LIVOLSKI	B. F. LIVOLSKI
2	I am not even sure that we ever did a deal there. Just I know she was working on the	connection with identifying candidates for
3	4 Virgin Islands.	3 layoff, you reviewed depth of relationships;
4	5 Q. And did she bring the Virgin Islands to Citigroup?	4 is that correct?
5	6 A. I don't recall that.	MR. BATTAGLIA: Objection.
6	7 MR. BATTAGLIA: Objection.	A. Yes, through discussion with
7	8 Q. Do you know if Citigroup has ever	7 regional managers.
8	9 done a transaction with the Virgin Islands?	8 Q. And did you discuss the depth of
9	10 A. Yes.	9 relationships that Nadine had with clients?
10	11 Q. How many deals have they done with	10 A. With clients?
11	12 the Virgin Islands?	11 Q. With anyone.
12	13 A. Possibly two.	12 A. Can you rephrase?
13	14 Q. And when were those deals?	13 Q. Let me ask that again.
14	15 A. They would have been done at the	14 Did you discuss the depth of
15	16 last three year time frame.	15 relationships Nadine had with clients?
16	17 Q. Is that before or after Nadine was	16 MR. BATTAGLIA: Objection.
17	18 laid off?	17 A. I don't -- I am not following the
18	19 A. I can't say for sure, probably	18 question.
19	20 after.	19 MR. BATTAGLIA: Did you ask it
20	21 Q. And who would have worked on those	20 with the clients or did he ask depth of
21	22 deals?	21 relationship with clients with someone
22	23 A. Guy Logan would have been the	22 else?
23	24 senior banker.	23 MR. DATOO: With someone else.
24		24 A. I don't recall specifically, but
25		25 probably had discussions with Norm Pellegrini

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<p>1 B. F. LIVOLSKI 2 about her relationships with clients. 3 Q. Anyone else? 4 A. Possibly Kristen Johanson, but I 5 am not sure. 6 Q. Why would you have spoken to 7 Kristen Johanson? 8 A. Kristen Johanson was a senior 9 banker in the State of Connecticut and, you 10 know, I can't say for sure that Kristen has 11 never come to me and said, I worked with 12 Nadine on this and she was very good or she 13 was very bad. 14 Q. I believe you also testified that 15 in connection with identifying a candidate for 16 layoff you reviewed banking skills; is that 17 correct? 18 MR. BATTAGLIA: Objection. You 19 can answer. 20 A. Banking skills would have been 21 defined. I would have been told about banking 22 skills basically from the regional manager. 23 Q. What was your view of Nadine's 24 banking skills? 25 MR. BATTAGLIA: Objection.</p>	<p>Page 45</p> <p>1 B. F. LIVOLSKI 2 these conversations with. 3 Q. Is that true as of November 2008? 4 MR. BATTAGLIA: Objection. 5 A. It would be true, sure. It would 6 be true that I wouldn't remember those 7 conversations. 8 Q. Did you and Norm Pellegrini 9 identify Nadine together as a candidate for 10 layoff? 11 A. I don't recall that. 12 Q. Who would have identified her for 13 layoff? 14 A. We could have identified her 15 together. He may have suggested it. I would 16 have thought about everybody within the region 17 and decided on, you know, what their skills 18 were, what their client base was and 19 unfortunately picked those that, you know, we 20 would conclude were the most expendable. 21 You have to understand something, 22 every banker looked at during any of these 23 RIFs, these were qualified people. We were 24 cutting into muscle. We were not eliminating 25 people that weren't good. So you had to be,</p>
<p>1 B. F. LIVOLSKI 2 A. My impression was enthusiastic, 3 inexperienced. 4 MR. BATTAGLIA: Enthusiastic, 5 inexperienced? 6 THE WITNESS: Enthusiastic as a 7 banker, inexperienced as a banker. 8 Q. You didn't work with her on any of 9 the transactions, though, did you? 10 MR. BATTAGLIA: Objection. 11 A. Not that I recall. 12 Q. How did you form this opinion of 13 Nadine's banking skills? 14 MR. BATTAGLIA: Objection. Asked 15 and answered. 16 A. I would have picked that up mostly 17 from the regional manager, as well as 18 potentially conversations with her related to 19 just facts within the industry. 20 Q. What do you mean by "facts within 21 the industry"?</p>	<p>Page 46</p> <p>1 B. F. LIVOLSKI 2 you know -- you had to look at exactly, you 3 know, what their value would be versus others 4 within the department and then make a decision 5 accordingly. 6 Q. You testified earlier that you 7 didn't have to identify anyone for layoff, 8 correct? 9 MR. BATTAGLIA: Objection. 10 A. I just finished saying that we 11 identified -- we looked at everyone throughout 12 the department. 13 Q. But you testified earlier that you 14 didn't have to identify anyone, correct? 15 MR. BATTAGLIA: Objection. 16 A. What I testified, to my 17 recollection, was that I didn't have to select 18 anyone from any specific region. 19 Q. Okay. Now in connection with your 20 review of identifying candidates for layoff, 21 did you review how much money someone made? 22 MR. BATTAGLIA: Objection. 23 A. I would not have specifically 24 looked at revenue sheets because, as I said 25 before, we are an inclusive organization. So</p>

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2	client, her potential client base or accounts	2	with her was that she was doing her job.
3	that she -- were out there that if she weren't	3	Q. Well, she was promoted early to
4	part of the organization, how would it effect	4	director, wasn't she?
5	our southeast operation. I remember	5	MR. BATTAGLIA: Yes.
6	discussion of having talked about her being a	6	A. Yes.
7	director first as a vice president, in that	7	Q. So she was doing a pretty good
8	she probably was promoted too quickly.	8	job, wasn't she?
9	And we talked about every	9	MR. BATTAGLIA: Objection.
10	individual in the region and what their focus	10	A. Depending on what you think of
11	was, what their contribution to a specific	11	being a director versus a vice president.
12	product or geographic location was. And at	12	Q. Well, how about what you think.
13	the end of the day, we concluded that Nadine	13	A. Well, I think that director is a
14	and Brent would have effected, if they were	14	nice title that is something that a lot of
15	not part of the organization, would effect us	15	people get and have. It helps them in their
16	the least.	16	stature within the industry, and generally it
17	Q. Do you recall looking at how much	17	is an irrelevant title. It is a title within
18	money she was paid by Citigroup?	18	our division. It is a title that you could --
19	MR. BATTAGLIA: Objection. You	19	we have directors that do vice president's
20	can answer.	20	work and we have vice presidents that do
21	A. I don't recall.	21	directors work.
22	Q. Do you recall looking at the	22	The most meaningful titles within
23	number of transactions she worked on?	23	the divisions are the one that are corporate
24	A. I don't recall that.	24	titles, managing director. So making someone
25	Q. Do you recall looking at the	25	a director -- and I am not suggesting that
	Page 54		Page 56
1	B. F. LIVOLSKI	1	B. F. LIVOLSKI
2	amount of revenue that was generated from the	2	Nadine didn't earn it or didn't deserve it,
3	transactions she worked on?	3	all I am saying is that from my perspective
4	A. I don't recall if we did.	4	that was a way of satisfying and encouraging
5	Possible.	5	employees to continue to be successful and
6	Q. Do you recall looking at the	6	work hard.
7	clients she covered?	7	Q. If a director title is irrelevant,
8	MR. BATTAGLIA: Objection.	8	why did you just testified that you promoted
9	A. I don't recall that. Again, I'd	9	her too early?
10	like to indicate that, as I said before, our	10	A. Well, because what happens is
11	reporting of bankers working on clients and	11	sometimes bankers put too much -- they have
12	their contribution was very liberal. We	12	too much expectation either on themselves or
13	encouraged team play, and as a result, we put	13	in the group that they are working on. They
14	a lot of bankers on a lot of accounts so that	14	are viewed as a director, when in fact they
15	all of the resources of public finance could	15	are really doing vice president's work.
16	be brought to bear on any transaction.	16	My feeling was at that point, that
17	Q. Did you talk about Nadine's work	17	although Nadine was maturing and growing and
18	performance with Mr. Pellegrini?	18	that that title was a nice title, you know, to
19	MR. BATTAGLIA: Objection.	19	have her on her business card, that she was
20	A. I don't recall that.	20	doing basically, from what I could ascertain
21	Q. What did you think about her work	21	from Norm, vice president's work.
22	performance?	22	Q. Well, she was a rare talent,
23	MR. BATTAGLIA: Objection. You	23	wasn't she?
24	may answer.	24	MR. BATTAGLIA: Objection.
25	A. You know, my limited experience	25	A. How do you define that?

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1 B. F. LIVOLSKI		1 B. F. LIVOLSKI
2 layoff?		2 in Florida for many years and one of the
3 MR. BATTAGLIA: Objection.		3 reasons why we would have wanted to hire the
4 A. I don't recall that.		4 folks from the UBS office.
5 Q. Is it fair to say that you and		5 Marc Weinberg had strong family
6 Mr. Pellegrini made the decision to select		6 connections, knew a lot of people throughout
7 Nadine for layoff?		7 the state and he was someone who understood
8 A. That's fair.		8 the business very well and was very competent.
9 Q. And once you identified Nadine for		9 I could -- I could go on.
10 layoff, what did you do?		10 MR. BATTAGLIA: That's okay.
11 A. I don't recall.		11 Q. Did you discuss --
12 Q. Did you speak to Frank Chin?		12 A. I could tell you each one, but --
13 A. Likely.		13 Q. Please continue then.
14 Q. Did you let him know?		14 MR. BATTAGLIA: What's the pending
15 A. Likely.		15 question, people he considered with Norm
16 Q. Did you do anything else?		16 Pellegrini?
17 A. It was what five, six years ago.		17 Q. What did you discuss with
18 Q. Four years ago.		18 Mr. Pellegrini about Rick Paterson?
19 A. Four years ago. I can't remember.		19 A. Rick Paterson was an interesting
20 Q. Do you know if Mr. Pellegrini did		20 discussion. From what I could recall in that
21 anything else after Nadine was identified for		21 Rick may have been a managing director at that
22 layoff?		22 time, I think so. Was a derivative expert who
23 A. I don't recall.		23 had had school business, as well as Tampa Bay
24 Q. Did you agree with the decision to		24 business for many years. And given his
25 select Nadine for layoff?		25 capabilities in the derivatives space and
	Page 70	Page 72
1 B. F. LIVOLSKI		1 B. F. LIVOLSKI
2 A. Yes.		2 given the problems that the industry was
3 MR. BATTAGLIA: Objection.		3 having with derivatives, it made sense that he
4 Q. How about Mr. Wilder?		4 would be part of our organization going
5 A. Yes.		5 forward.
6 Q. Were there any other people you		6 Q. How about Robert Szostak?
7 discussed with Mr. Pellegrini that you		7 A. Robert Szostak, I don't recall
8 identified for layoff?		8 talking about him. He is a public power guy,
9 MR. BATTAGLIA: Objection.		9 good experience, did some work in the western
10 A. Well, I could tell you that we		10 part of the state, probably focused more on
11 probably discussed every person. As I said		11 power and possibly renewals, renewal of merge.
12 before, the objective was to come to the		12 Q. Did you talk about Nadine?
13 proper conclusions. I would have thought that		13 MR. BATTAGLIA: Objection.
14 we would have touched on each person. That		14 A. Of course we talked about Nadine.
15 they may not have been lengthy conversations,		15 I remember discussing Connecticut because I
16 but we would have touched on each person.		16 knew secondhand from Kristen that she had been
17 As an example, we would have		17 involved in Connecticut. We talked about what
18 talked about Michael Ho. Michael Ho has, you		18 other areas did she have a significant role or
19 know, dominated business in the south of		19 a major influence. And quite frankly, there
20 Florida, Louisiana, Tennessee. A significant		20 weren't.
21 producer and someone who has worked on many of		21 Q. How about Broward County?
22 the accounts that I had established over the		22 A. We may have -- she may have been
23 years.		23 asked to work in Broward County, help us
24 Mike Baldwin would have been		24 there.
25 somebody who has dominated the school business		25 Q. Did you discuss the Virgin

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<p style="text-align: right;">Page 77</p> <p>1 B. F. LIVOLSKI 2 Q. Are you referring to a specific 3 document? 4 MR. BATTAGLIA: Objection. 5 A. When you say "revenue sheets," 6 there is a revenue sheet that is generated for 7 each region. And that revenue sheet lists 8 every transaction that's been done in that 9 region or product group -- could be a product 10 group as well as a region -- and who are all 11 the bankers associated with that transaction 12 and all the product or regional groups 13 associated with that transaction. 14 Q. Is there a document that reflects 15 how many transactions were conducted with 16 school districts in 2008? 17 A. A document that just isolates 18 school districts? 19 Q. Yes. 20 A. Probably not. Probably doesn't -- 21 just isolate school districts. Probably is 22 included within the revenue sheets of the 23 entire region. 24 Q. So for example, if I wanted to 25 find out how many school transactions were</p>	<p style="text-align: right;">Page 79</p> <p>1 B. F. LIVOLSKI 2 A. The derivative business was 3 probably in significant danger. A lot of it 4 revolved around variable rate axis, as well as 5 insurance. Both areas were having their 6 problems. So I would suspect that there 7 wasn't a lot of new derivative business, but 8 there were significant monitoring and unwinds 9 that would be part of the business. 10 Q. What do you mean by "unwinds"?</p> <p>11 A. In other words, trying to get 12 clients out of the derivative trades that they 13 were in.</p> <p>14 Q. Who was working on derivatives in 15 the southeast group?</p> <p>16 A. The major focus would have been 17 Rick Paterson as the derivative person within 18 the region.</p> <p>19 MR. BATTAGLIA: Just to clarify, 20 we're talking about 2008?</p> <p>21 MR. DATOO: Yes.</p> <p>22 Q. How about 2007?</p> <p>23 A. It would have been Rick Paterson.</p> <p>24 Q. Why wasn't Rick Paterson 25 identified for layoff?</p>
<p style="text-align: right;">Page 78</p> <p>1 B. F. LIVOLSKI 2 conducted in the southeast group for 2008, I 3 would have to look at the document that lists 4 all the transactions for that group for that 5 year? 6 A. There may be a way to put 7 something into a program that would split out 8 all of the school districts. I don't know. 9 There could very well be. My tool would be 10 what the region is doing, what the accounts 11 are that they have done and what the, you 12 know, what are the revenues for that region. 13 Q. Is that a document, is that 14 information contained on that document? 15 MR. BATTAGLIA: Is that what? 16 Q. Is the information that you just 17 said -- 18 A. That I utilized? 19 Q. Yes. 20 A. Whenever I request a revenue sheet 21 for the region, they will produce it for me. 22 And it is typically I will give them a time 23 frame. 24 Q. Okay. How were derivatives doing 25 in 2008?</p>	<p style="text-align: right;">Page 80</p> <p>1 B. F. LIVOLSKI 2 A. Why was he? 3 Q. Why wasn't he? 4 MR. BATTAGLIA: Objection. 5 A. I don't -- when you say 6 identified, can you be a little more specific? 7 Why wasn't he picked, why wasn't he 8 selected -- 9 Q. Yes. 10 A. -- as one of the people? 11 Q. Yes. 12 A. Well, because not only did he have 13 a history of being a leader with clients, but 14 he also was a derivatives expert which would 15 have come in significance and handy because of 16 the unwinds and etc., going forward. 17 Q. Has the derivatives business 18 picked up since '08? 19 A. No. But it has -- but unwinds 20 continue. 21 Q. Is there anyone else -- 22 A. Innovations continue. 23 Q. Could anyone else have handled 24 derivatives in the southeast group? 25 A. No. Well, I mean, you could have</p>

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1	B. F. LIVOLSKI	1	B. F. LIVOLSKI
2	-- any banker could have probably tried, that	2	the probability is yes.
3	doesn't mean it would be done in an expert	3	Q. Do you know how much more?
4	way. That's not to say -- if a senior	4	A. I have no idea.
5	manager -- if Palm Beach county did a	5	Q. Do you know what the base salary
6	derivative and Michael Ho for the sake of	6	of a managing director was in '08?
7	argument was the senior banker on that	7	A. It could be \$250,000.
8	account, he would -- and a derivative trade	8	Q. Do you know what the base salary
9	took place, Rick Paterson would be involved in	9	for managing director was in '08 -- for
10	that, Michael Ho would at least be involved in	10	director in '08?
11	that from a client-relationship perspective.	11	MR. BATTAGLIA: Objection.
12	Q. Rick Paterson was a managing	12	A. Maybe 150'ish, range. I am not
13	director, right?	13	quite sure.
14	A. I believe so.	14	Q. Does the incentive comp differ
15	Q. Is he still with Citi?	15	from managing directors to directors?
16	A. He is not.	16	MR. BATTAGLIA: Objection.
17	Q. When did he leave?	17	A. In most cases it would, but not in
18	A. He left in 2011.	18	all cases.
19	Q. Do you know why?	19	Q. Do you know if Rick Paterson's
20	A. He was RIFed.	20	incentive comp was greater than Nadine's
21	Q. I am sorry?	21	incentive comp in 2007?
22	A. I think he was part of a RIF.	22	MR. BATTAGLIA: Objection.
23	Q. Who is handling derivatives now?	23	A. I don't know.
24	A. Unwinds are basically being	24	Q. Is it likely?
25	handled in addition to the relationship	25	A. Likely, but I don't know.
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1	B. F. LIVOLSKI	1	B. F. LIVOLSKI
2	managers the -- our financial products group	2	Q. Did you ever know which clients
3	would in New York would assist in putting	3	Nadine covered?
4	those novations together. There are not many,	4	MR. BATTAGLIA: Objection.
5	to my knowledge, new derivative transactions,	5	A. I knew she had spent time working
6	but there are a lot of outstanding	6	on Connecticut. I knew that she was part of
7	transactions that are client based that would	7	the Virgin Islands team. There was discussion
8	like to see unwound.	8	early on about having her work in south
9	Q. Could the financial products group	9	Florida. But specifically, no, except for
10	in New York have handled derivatives if Rick	10	those two.
11	Paterson was laid off in November of 2008?	11	Q. I am handing you a document that's
12	A. Difficult because we -- part of	12	been marked as Plaintiff's Exhibit 379.
13	the business plan was to put a derivatives	13	MR. DATOO: For the record, I just
14	person in geographic locations around the	14	want to make it clear that this is not
15	country to provide more focus.	15	one document, it is two documents just
16	Q. Do you know how much money Rick	16	stapled together.
17	Paterson was making in 2008?	17	MR. BATTAGLIA: I would ask, were
18	A. I haven't any idea.	18	there e-mails attached to these
19	Q. Managing directors generally make	19	documents or were they standalone
20	more than directors?	20	documents?
21	A. In most cases, but not in all	21	MR. DATOO: I know it has your
22	cases.	22	Bates stamp on it.
23	Q. Do you know if Rick Paterson was	23	MR. BATTAGLIA: I know. If you
24	making more money than Nadine Mentor?	24	are going to ask him questions about
25	A. I couldn't say that as a fact, but	25	these documents, it is sort of assume --

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1	B. F. LIVOLSKI	B. F. LIVOLSKI
2	I will wait and see if you lay a	2 A. I couldn't say that she was the
3	foundation for his knowledge of them.	3 primary banker. It was probably Mike Baldwin,
4	Q. Did you have an opportunity to	4 but I -- but she very well could have been
5	review the document?	5 part of the team.
6	A. Thank you.	6 Q. Do you know if Nadine covered
7	Q. Have you had an opportunity to	7 Miami Dade Expressway Authority?
8	review it?	8 A. She may have.
9	A. I have, yes.	9 Q. Do you know who was the lead
10	Q. Have you seen any of these	10 banker?
11	documents before?	11 A. I would envision that it was Norm
12	A. I don't recall them.	12 Pellegrini.
13	Q. Do you recall if Nadine Mentor	13 Q. Do you know, are you guessing?
14	covered Miami Dade County?	14 A. I am guessing.
15	MR. BATTAGLIA: Objection.	15 Q. Do you know who the primary
16	A. She may have been one of the	16 relationship with Miami Dade Expressway
17	bankers assigned to it.	17 Authority was?
18	Q. Do you know who had the primary	18 A. Excuse me?
19	relationship with Miami Dade County?	19 Q. Do you know who had the primary
20	A. Yeah. I mean, as far as I have	20 relationship with Miami Dade Expressway?
21	known historically it would have been Norm	21 A. I would make the assumption it was
22	Pellegrini.	22 Norm Pellegrini because he handled those
23	Q. Do you know who is the lead banker	23 accounts for many years.
24	for Miami Dade County?	24 Q. Do you know if Nadine covered the
25	MR. BATTAGLIA: Objection.	25 City of North Miami?
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1	B. F. LIVOLSKI	B. F. LIVOLSKI
2	A. I would have to say it would be	2 A. Can you repeat, please?
3	Norm Pellegrini.	3 Q. Do you know if Nadine covered the
4	Q. Do you know that or are you	4 City of North Miami?
5	guessing?	5 A. I don't know.
6	A. Well, logical conclusion would be	6 MR. BATTAGLIA: Objection.
7	that if you are the responsible -- if you are	7 Q. Do you know who had the primary
8	the senior banker for the account and you have	8 relationship of that client?
9	the relationship, you are technically the lead	9 A. I don't know.
10	banker. That doesn't necessarily mean you are	10 Q. Do you know if Nadine covered City
11	working on that account day to day, but are	11 of North Miami CRA?
12	technically the lead banker.	12 A. I don't know.
13	Q. Do you know if Nadine covered the	13 Q. Do you know who was the lead
14	City of Miami?	14 banker for that client?
15	MR. BATTAGLIA: Objection.	15 A. I don't know.
16	A. Possibly.	16 Q. Do you know who had the primary
17	Q. Do you know who was the lead	17 relationship with that client?
18	banker for that client?	18 A. I don't know.
19	A. No.	19 Q. Do you know if Nadine covered
20	Q. Do you know who was the person	20 Broward County?
21	with primary responsibility for the	21 A. She probably was involved in
22	relationship?	22 Broward County, yes.
23	A. I can't -- I have no idea.	23 Q. Do you know who was the lead
24	Q. Do you know if Nadine covered	24 banker for Broward County?
25	Miami Dade schools?	25 A. There I think it was Norm

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1	B. F. LIVOLSKI	1	B. F. LIVOLSKI
2	Pellegrini.	2	screen.
3	Q. Do you know who had the primary	3	Q. What do you consider a lot?
4	relationship with Broward County?	4	A. I would consider a client that was
5	A. It would have been Norm	5	in the market on at least an annual basis with
6	Pellegrini.	6	sizable transactions. Miami Dade schools, MDX
7	Q. Do you know if Nadine covered the	7	may have been, Orange Orlando Expressway,
8	City of Hollywood, Florida?	8	Broward County. Miami Beach wouldn't be
9	A. I don't know.	9	considered that, Miami wouldn't be considered
10	Q. Do you know who was the lead	10	that.
11	banker for that client?	11	Q. What do you mean by "sizable
12	A. I don't know.	12	transaction"?
13	Q. Do you know who had the primary	13	A. It could be a couple of hundred to
14	relationship with that client?	14	\$500 million transactions.
15	A. I don't know.	15	Q. The value of the transaction?
16	Q. Do you know if Nadine covered the	16	A. The principal amount of the
17	City of Hollywood Beach CRA?	17	transaction.
18	A. I have no idea.	18	Q. And is the principal amount of the
19	Q. Do you know who was the lead	19	transaction tied to the revenue that Citi
20	banker?	20	generates from the transaction?
21	A. I have no idea.	21	A. It would be likely we get paid a
22	Q. Do you know who had the primary	22	percentage of the principal amount.
23	relationship with that client?	23	Q. Do you know if Nadine covered the
24	A. No.	24	City of Atlanta?
25	Q. Do you know if Nadine covered	25	A. I am not sure. Possibly.
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1	B. F. LIVOLSKI	1	B. F. LIVOLSKI
2	Orange County Expressway Authority?	2	Q. Do you know who was the lead
3	A. No.	3	banker for that client?
4	Q. Do you know who was the lead	4	A. Again, it would have been Guy
5	banker for that?	5	Logan.
6	A. Norm Pellegrini.	6	Q. Do you know who had the primary
7	Q. Do you know who had the primary	7	relationship with that client?
8	relationship with that client?	8	A. It would have been Guy Logan.
9	A. Norm Pellegrini.	9	Q. Do you know if Nadine covered Cobb
10	Q. Do you know if she covered	10	County Georgia?
11	Pennbrook Pines, Florida?	11	A. Possibly.
12	A. I don't know.	12	Q. Do you know who the lead banker
13	Q. Do you know who was the lead	13	was for that client?
14	banker for that client?	14	A. It would have been either Noga,
15	A. I don't know.	15	Ray Noga, Rick Paterson or Guy Logan.
16	Q. Do you know who had the primary	16	Q. Do you know who had the primary
17	relationship with that client?	17	relationship with that client?
18	A. I wouldn't know. Most of these	18	A. It would have been either one of
19	clients, because they are irrelevant.	19	those three probably, Ray Noga.
20	Q. They are what?	20	Q. Do you know if Nadine covered
21	A. Irrelevant.	21	Fulton County Georgia?
22	Q. Why is that?	22	A. I have no idea.
23	A. Because they are small and	23	Q. Do you know who was the lead
24	typically don't do a lot and, you know,	24	banker for that client?
25	wouldn't be something that would hit my radar	25	A. Ray Noga.

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1	B. F. LIVOLSKI	1	B. F. LIVOLSKI
2	Q. Do you know who had the primary	2	A. I would assume she was the lead
3	relationship with that client?	3	banker if James Haddon wasn't in public
4	A. Ray Noga.	4	finance at that time.
5	Q. Do you know if Nadine covered	5	Q. And would she have been the
6	Fulton County Recreational Development?	6	primary relationship with the Virgin Islands
7	A. I have no idea.	7	if James Haddon wasn't there at the time?
8	Q. Do you know who was the lead	8	A. She probably would have been the
9	banker for that client?	9	primary relationship.
10	A. I would make an assumption it was	10	Q. Do you know if Nadine covered the
11	Guy Logan because he was responsible for	11	City of Detroit?
12	Atlanta.	12	A. She may have been part of a team
13	Q. Do you know who had the primary	13	that covered Detroit.
14	relationship of that client?	14	Q. Do you know who was the lead
15	A. I think it would have been Guy	15	banker for that client?
16	Logan for the same reason I just stated.	16	A. If it wasn't Haddon, it was Guy
17	Q. Do you know if Nadine covered	17	Logan.
18	Virgin Islands Public Finance Authority?	18	Q. And do you know who had the
19	A. She has spent time there.	19	primary relationship with that client?
20	Q. Do you know if she covered that	20	A. If it wasn't Haddon it was Guy
21	client?	21	Logan.
22	MR. BATTAGLIA: Objection.	22	Q. Did you discuss any of these
23	A. I would assume she did, yes.	23	clients when you spoke to Mr. Pellegrini?
24	Q. Do you know what I mean when I say	24	A. I don't recall.
25	"covered"?	25	Q. Let me just finish asking the
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1	B. F. LIVOLSKI	1	B. F. LIVOLSKI
2	A. Well, you could define for me if	2	question.
3	you like.	3	A. I thought you had finished.
4	Q. You have been answering the	4	Q. It is okay. My voice makes me
5	questions, so in your mind what does that word	5	stop sometimes.
6	mean?	6	Do you recall discussing any of
7	A. Covered means being involved in an	7	these clients with Mr. Pellegrini when you
8	account.	8	were identifying Nadine for layoff?
9	Q. Okay. Do you know who was the	9	A. I don't recall discussing
10	lead banker for Virgin Islands Government	10	individual clients like that. I don't recall.
11	Public Finance Authority?	11	Q. If you can flip over to the second
12	A. I don't know for sure, but it	12	page.
13	could very well have been James Haddon. He	13	A. Okay.
14	was the original relationship and I don't know	14	Q. Do you see the section entitled
15	if he was still in public finance in '08.	15	"State of Connecticut"?
16	Q. If he was not in public finance in	16	A. Yes.
17	'08, do you know who would be the lead banker	17	Q. Do you know if Nadine covered any
18	for that client?	18	clients for the State of Connecticut?
19	A. Nadine probably.	19	A. Nadine --
20	Q. Do you know if Nadine covered	20	MR. BATTAGLIA: Objection. You
21	Virgin Islands Water and Power Authority?	21	may answer.
22	A. I would assume she covered	22	A. Nadine was part of the team that
23	everything in the Virgin Islands.	23	covered the State of Connecticut.
24	Q. Do you know if she was the lead	24	Q. And so would she have covered GO?
25	banker for anything in the Virgin Islands?	25	A. She would have been part of the

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1	B. F. LIVOLSKI	B. F. LIVOLSKI
2	review the document?	2 to move back into an area that he had some 3 comfort with. It was a preposterous proposal. 4 Q. What group was Rick Paterson in? 5 A. He was in the derivative group 6 until -- my dates may be incorrect, but he 7 moved back into the southeast group when we in 8 effect unwound, you know, specific derivative 9 people around the country. And it may have 10 been '07, '08, I don't remember when that took 11 place. So he moved back into the southeast 12 group. 13 Q. Is there a document that would 14 reflect when he was a member of the southeast 15 group? 16 A. I am sure there is some employment 17 record that would indicate when he became a 18 direct report of Norm Pellegrini. 19 Q. Now the next sentence reads: 20 "Rick's name surfaced because we 21 need MD's." 22 What did you mean by that? 23 A. Well, obviously thanks for 24 pointing that out, it was obvious that, you 25 know, when we were putting together a list,
1	B. F. LIVOLSKI	Page 102
2	Q. And you wrote: 3 "Ray," because there is a word 4 chopped off it says "I don't know what to say. 5 Your suggestion is not a solution. Why don't 6 you make a reasonable proposal." 7 Why was Ray Noga's proposal 8 unreasonable? 9 A. Well, first of all, you know Ray 10 could express his opinion any way he wants. 11 It really wasn't his job to, you know, offer 12 up his idea of what should be done in the 13 southeast region. 14 And secondly, the reason that Norm 15 and his team was hired initially wasn't 16 because we wanted to take some of the burden 17 off Ray Noga, it is that we wanted to perform 18 in areas that historically in the southeast 19 and in Florida we had not. Furthermore, it 20 was to get Ray Noga to develop and work and 21 grow the southwest region. 22 So this -- to me this whole e-mail 23 was the result of moving or trying to operate 24 in a place like Texas, finding out it was 25 harder than he thought it would be and trying	1 B. F. LIVOLSKI 2 Frank was given a directive that if we 3 could -- you know, if there are some MD's that 4 could be offered up, put up we should try to 5 do that. So that's what I meant by it. 6 Q. Is that the only directive you 7 remember Frank Chin giving you? 8 MR. BATTAGLIA: Objection. 9 A. I didn't remember that one. 10 Q. Does this refresh your 11 recollection? 12 A. It does. 13 Q. And do you know why Frank Chin 14 wanted MD's on the list? 15 MR. BATTAGLIA: Objection. You 16 may answer. 17 A. An assumption would be that it was 18 the benefit of MD title reductions and salary 19 income. 20 Q. What's the significance of the 21 title reductions? 22 MR. BATTAGLIA: Objection. 23 A. Well, the more -- the less MD's 24 you have in a division, the assumption would 25 be that there would be less of a pay package